



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
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March 2, 2018

**BY ECF**

Hon. Katherine B. Forrest  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 2230  
New York, NY 10007

**Re: SEC v. Belesis., 17-mc-508-KBF**

Dear Judge Forrest:

By this letter, the Securities and Exchange Commission ("Commission"), through its counsel, opposes the request of defendant-judgment debtor Anatasios Belesis ("Belesis") to delay his deposition beyond March 19, 2018. For the reasons explained below, the Commission requests that the Court order Belesis to appear for his deposition that day, unless he has paid the amount due in full before March 19<sup>th</sup>.

Belesis's promises to pay over the past seven months have simply not held true. Belesis initially promised to pay in full on the settlement of this action in August 2017. He has since offered multiple excuses for not paying and made additional promises to pay that he has not kept. *See* Letter from SEC dated February 8, 2018 (Dkt. No. 17) (summarizing the history of Belesis's failure to pay).

Moreover, at this point, the Commission is unable to understand Belesis's finances or how he intends to pay. Belesis's ability to obtain a \$1,000,000 personal loan from an unidentified lender is inconsistent with his sworn statement produced to the Commission, where he asserts that he owns no assets, directly or indirectly (but for a single bank account with no information as to the level of assets held therein), and has a yearly income of \$5,000 from the Screen Actors Guild for an acting residual. In addition, even if Belesis obtains the full amount of this \$1,000,000 loan, it is not clear that he will be able to pay his debt in full. Finally, while Belesis claims virtually no assets in his sworn statement, he lives in a condominium in lower Manhattan that, according to publicly available information, appears to be listed for sale at a price of \$8 million, and appears to be owned with no liens by an entity that Belesis controls (and thus should have appeared on his sworn financial statement).

A deposition would give the Commission insight into Belesis's finances, and should not be delayed further. The Commission originally scheduled Belesis's deposition for March 1, 2018 and notified Mr. Schwartz of such on January 29, 2018. On February 27, Mr. Schwartz informed us that he would be unavailable for the March 1, 2018 deposition date, and requested an extension.

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The Commission agreed to adjourn the deposition, and the parties chose March 19, 2018 as a mutually agreeable date. Yesterday, Mr. Schwartz asked the Commission to delay the March 19 date until March 27, stating that his client “expects to have the funds in hand sometime during the week of the 19<sup>th</sup>”. The Commission responded that we would not be willing to delay the deposition date again. Mr. Schwartz now asks the Court for March 29<sup>th</sup> for Belesis’s deposition.

We ask that the Court deny Belesis’s request and instead order Belesis to attend the deposition on March 19<sup>th</sup> unless he has paid in full before that date. The deposition would also help the Commission to take precautionary measures allowed by Fed. R. Civ. P. 69 and the Federal Debt Collection Procedures Act that will serve to maintain the status quo until the Commission’s debt is fully paid.

Sincerely,

s/ Elizabeth Reilly Goody

Elizabeth Reilly Goody